

## ST-SUPPL (6-03)

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater - All water from McNeil Creek

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: July 14, 2004 at Orange County, California

SIGNATURE: R. J. Van Ness

PRINTED NAME: R. (first name) Terry (middle init.) Van Ness (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

file

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: TERRY VAN NESS, JEAN VAN NESS

TRINIDAD PROPERTY MANAGEMENT  
PO BOX 754  
TRINIDAD, CA 95570

STATEMENT NO: S004312



TELEPHONE NUMBER:

YEAR OF FIRST USE: 1955

PARCEL NO: ~~517-012-05~~  
517-012-05

SOURCE: MCNEIL CREEK

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: HUMBOLDT

DIVERSION

WITHIN: SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  SECTION 11, T8N, R1E, HB&M.

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995													
1996	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1997	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1998	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_  
\_\_\_\_\_
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/5, 1998 at TRINIDAD, California

SIGNATURE: Michael J. Fleschner AGENT FOR VAN NESS

PRINTED NAME: MICHAEL (FIRST NAME) D (MIDDLE INIT.) FLESCHNER (LAST NAME)

COMPANY NAME: TRINIDAD PROPERTY MANAGEMENT

See back of page for General Information. If there is insufficient space for your answers.

WRMS  
UPDATED  
6/15/98  
1008



**Cal/EPA**

December 17, 1997

State Water  
Resources  
Control BoardDivision of  
Water RightsMailing Address:  
P.O. Box 2000  
Sacramento, CA  
95812-0200901 P Street  
Sacramento, CA  
95814  
(916) 657-0765  
FAX (916) 657-1485**TO ALL WATER USERS FILING SUPPLEMENTAL STATEMENTS  
OF WATER DIVERSION AND USE**

Enclosed is your Supplemental Statement of Water Diversion and Use (Statement) Form (WR 40-1) for years 1995, 1996, and 1997. All Statements should be completed and postmarked no later than June 30, 1998 for delivery to the State Water Resources Control Board (SWRCB). If you do not file a Statement for six consecutive years, your use will be considered inactive and the SWRCB will no longer mail you Statements to record your diversion and use of water. If you wish to reactivate an inactive Statement, please contact our office.

We have converted to a new database system to maintain water right information from your Statement forms. We ask for your assistance in correcting any errors that may be shown on the attached Statement. Please review the information in the upper half of the Statement and make any corrections or additions that may be needed, in red; (e.g., corrections to current ownership, address, phone number, agent, etc.).

Since a Statement is required for each point of diversion, please complete the enclosed Statement(s), to the best of your knowledge, for the point of diversion identified on the form. If the location of the existing point of diversion has changed, please identify the new location. However, if you have developed a new point of diversion, in addition to the existing point of diversion, please contact us and we will supply you with a separate form to record the new diversion.

Please return the form to the SWRCB postmarked on or before June 30, 1998. Please contact Koso Nodohara of this office at (916) 657-1872 if you have any questions or need assistance.

Sincerely,

ROGER JOHNSON  
Assistant Division Chief  
Division of Water Rights

Enclosure

KRB

Pete Wilson  
Governor

$$\begin{array}{r} 650000 \\ - 3100 \\ \hline 646900 \end{array}$$

$$\begin{array}{r} 1410000 \\ - 2050 \\ \hline 14097950 \end{array}$$

TRINIDAD

BB035  
7.5

# CONTACT REPORT

## DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

Subject License 10672 (A-22989) and Statement 4312

McNeil Creek in Humboldt County

Division Personnel \_\_\_\_\_

W.C. Smith

Date 3-29-91

Time 2:00 PM

Personal ☐

Where \_\_\_\_\_

Telephone ☒

Number \_\_\_\_\_

Van Ness phoned me after I left message with Mickey Fleschner

Individual(s)/Agency Contacted \_\_\_\_\_

Terry Van Ness

### Conversation Description

I spoke with Mr Van Ness regarding water rights for his property purchased from Sydney and Catherine Dilling on McNeil Creek. Mr Van Ness was concerned about the appropriateness of showing Ingelsberg and Gurrell as owners of License 10672 rather than showing the Van Nesses as owners. (See 3-21-91 mini-memo in file). We discussed riparian and appropriative rights and I explained that License 10672 never applied to the property acquired by the Van Nesses. We discussed Statements of Water Division and Use and their purpose. Van Ness was concerned that he perhaps should file an application to supplement his apparent riparian claim, in order to have a document showing as "proof" of a water right. I tried to discourage him from filing an application unless there was some doubt as to the validity of the superior riparian right.

After our discussion, Mr Van Ness seemed more secure about his water right situation and would like to proceed with the transfer of Statement 4312 from Mr & Mrs Charles Manning to them. This is preferable to having the Van Nesses file their own statement as it preserves a history of water use for that property.

Decision(s) proceed with assignments proposed

in my 2-25-91 letter

Action Items Send copy of this contact report to

Van Ness and Fleschner

SURNAME

W.C. Smith

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE

S4312

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water MR & MRS CARL E. MANNING  
Address TRINIDAD P.O., CALIF 95570

B. Name of body of water at point of diversion MC NEIL CREEK  
Tributary to PACIFIC OCEAN

C. Place of diversion SE 1/4 SW 1/4 Section 11, Township 8N, Range 1W, H B&M,  
HUMBOLT County, or locate it on sketch of section grid on reverse side with regard to section lines or  
prominent local landmarks.

D. Name of works

E. Capacity of diversion works  
Capacity of storage reservoir 10,500 cubic feet per second  
State quantity of water used each month in gallons or acre-feet 10,500 gallons per minute  
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
													<u>127,750</u>

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as  
acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 127,750 gallons

Minimum annual water use in recent years 127,750 acre-feet

Type of diversion facility: gravity ✓, pump ✓ gallons

Method of measurement: weir ✓, flume ✓, electric power meter ✓, water meter ✓, estimate X acre-feet

F. Purpose of use (what water is being used for) DOMESTIC

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) CONCRETE  
SUMP AT EAST TOE OF FILL - HWY #101

H. Year of first use as nearly as known 1955

I. Name of person filing statement MRS. CARL E. MANNING

Position Organization

Address

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 3/2/68

Signature

Mrs Carl E Manning

See Instructions on Reverse Side